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COMMISSION FOR THE RIGHTS OF THE MAUBERE PEOPLE (CDPM)

SUBMISSION TO THE
UN SPECIAL COMMITTEE ON DECOLONIZATION

New York, 5-7 July 2000

Mr. Chairman,

I wish to thank you for granting the CDPM – Commission for the Rights of the Maubere People, the opportunity to address this Committee on the question of East Timor.

One of the goals that the UN set itself to achieve before the end of the twentieth century was the eradication of colonialism. This objective has not yet been attained, and peoples that are still enduring alien domination are turning in hope, once again, to the Committee on Decolonization.

In the case of East Timor, the past year has seen major changes after the long years of virtual isolation and international oblivion. On 30 August 1999, the Timorese people's 25-year-long desire to decide their own destiny was fulfilled through a free and internationally acceptable act of self-determination.

On 4 September, Mr. Kofi Annan announced the results of the popular consultation: 98% of eligible registered Timorese voters had taken part in the UN-organised ballot; 78.5% of them had opted for independence, thus rejecting autonomy within Indonesia, in spite of pressure and intimidation.

The announcement triggered a rampage of killing and devastation by the occupying forces and their militias, which only ended with the arrival of an international force. In a short time, 80% of the territory's infrastructures were destroyed, and an untold number of people murdered. Subsequent delays in sending forensic specialists to gather vital evidence have made prosecution of those responsible practically impossible.

With the UNTAET's arrival in October 1999, East Timor ceased to be a non-autonomous territory under Portuguese administration and became a territory under a transitional UN administration.

During the transition, the UN should establish the minimum conditions necessary in order that the Timorese may embark upon viable and successful nationhood. With a mandate to support the transition to self-government, UNTAET should ensure its operations are flexible and limited in duration in accordance with the needs and aspirations of the East Timorese.

Mr. Chairman,

As they set off along the road to independence, the East Timorese are facing major hurdles, left in the wake of recent political developments, and are relying on the international community's support to

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overcome them. The most evident are the displacement of large sectors of the population and the material destruction.

Between 250,000 and 280,000 Timorese – about 1/3 of the total population - were displaced and now live in refugee camps in Indonesia. Although 165,160 people were reported to have returned to East Timor (UNTAET Humanitarian Pillar Situation Report, 24-29 June 2000), but between 90,000 and 120,000 are still living in sub-human conditions in West Timor, guarded by pro-Indonesia militias.

Many of the displaced were previously public servants in Indonesia's administration in East Timor. Before they leave Indonesian territory with their families, they want assurances that their retirement entitlements will be honoured. The existence of sizeable colonies of exiles (15% of East Timor's population) could constitute a destabilizing factor in the medium and long term, so it is an issue that needs to be addressed urgently. The international community should not only continue its calls for the militias to be disarmed and removed from the refugee camps, but should also make determined efforts to bring about a resolution to the matter of entitlements, so that former employees in the Indonesian administration may return to East Timor.

With regard to reconstruction and the UN-led transition period, the international community has clearly shown its support by pledging approximately US $ 522 million (Tokyo, December 1999). However, the slow rate of disbursement of the promised funds is now undermining UNTAET's operation and stability itself in East Timor, where about 80% of the population is unemployed.

Mr. Chairman,

At least two other consequences of Indonesia's 25-year illegal occupation and the recent violence call for international community attention: security and property rights issues.

1. In spite of repeated initial statements by Timorese leaders that they had no intention of forming a national army, in view of the violence that followed the vote for independence they were obliged to change their position. This means that resources, which are vitally important to improving living standards for the Timorese, will now have to be channelled into Defence.

The security of the State of East Timor is of paramount importance, and the international community has a duty to contribute towards safeguarding it.

In order to prevent destabilisation attempts by the militias and the Indonesian military associated with them, civilian and democratic forces in Indonesia itself must be strengthened. It is these forces that the international community ought to be supporting and not the armed forces, as happened in the time of President Suharto. Prosecution of those responsible for abuses in East Timor is also a key factor in supporting change in Indonesia and stability in the region.

2. After 25 years of occupation, it is natural to see numerous property and acquired rights-related problems arising now in East Timor. The fact that it was an illegal occupation, never ratified by the UN that enabled the unlawful exploitation of Timorese resources must always be borne in mind.

That Indonesian companies, both public and private sector, were the tools of that occupation and enjoyed the protection a corrupt regime, must also taken into account. If there are cases in which legitimate rights have been lost as a result of independence, then it is up to the Indonesian government to provide compensation.

Entitlements (such as retirement benefits), lawfully acquired by East Timorese, must be honoured by former employers (whether companies, Indonesia's public administration, or others) regardless of whether the beneficiaries live in Indonesia or not. However, given Indonesia's current difficulties, the international community should look into the matter and come up with proposals within a reasonable period of time.

Assets belonging to East Timor's heritage (archives, objects of historical/cultural interest, etc.), that are important components of Timorese identity, and which were removed from the territory by the Indonesian army, must be returned to the Timorese people.

Mr. Chairman,

After years of hesitation, the UN has successfully concluded the decolonisation process in East Timor. However, many other colonized territories and their peoples are still waiting: the Western Sahara process drags on, while for Tibet and Kurdistan the process has not yet even begun. Other cases, such as West Papua, that were unsatisfactorily settled in the past, now need to be reconsidered.

Thank you.